CHAPTER 2 - TABLE OF CONTENTS

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2.1   VOTER REGISTRATION SERVICES

OUR GUIDING PRINCIPLE   RCW 29A.04.205

"It is the policy of the state of Washington to encourage every eligible person to register to vote and to participate fully in all elections and to protect the integrity of the electoral process by providing equal access to the process while guarding against discrimination and fraud."

WHAT CONSTITUTES DISCRIMINATION OR FRAUD?   RCW 29A.84

- o Denying the right to register based on appearance or beliefs
- o Refusing to perform any duty required by law
- o Intentionally failing to turn in registrations
- o Deliberately not submitting registrations in a timely manner
- o Voter knowingly providing false information on an application
- o Offering to pay registrars a fee per voter registration
- o Accepting a payment based on a fixed amount per voter registration

WHO IS ELIGIBLE TO VOTE?   WA CON ART. VI, SEC 1 & 3

An "elector" is anyone who is qualified to vote.

- o 18 years old at time of voting
- o United States Citizen
- o Legal resident of Washington State
- o Not deprived of civil rights due to felony conviction
- o Not subject to guardianship covering voting rights

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RCW 29A.08

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IS A VOTER'S REGISTRATION INFORMATION PUBLIC?

The following items are public information, available on request.

- o Name and address
- o Political jurisdiction (precinct/district)
- o Gender

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- o   Date of birth

- o   Voting record

- o   Date of registration

- o   Registration number

Information that is not available to the public:

- o   Department Of Licensing (DOL) office of registration

- o   State agency office of registration

- o   Declination of registration

- o   Phone number

- o   Anything else on the registration form that isn't specified as public information

REGISTRATION DEADLINES

Voters must register or update address information in order to participate in an election. Deadlines do not apply to overseas or service applicants wishing to register to vote in the state. Deadlines for transfers of existing records apply to all voters.

29-DAY DEADLINE

New applications and changes of address (transfers) must be received or postmarked by the 29th day before an election. The same deadlines for registration by mail apply to registrations received by fax, email, or online.

8-DAY DEADLINE

Applicants not currently registered in Washington State may register **in person** at his or her County Auditor's office up to eight days before an election. This extended registration period is only available to voters not currently registered in Washington, and includes those that were once registered but are currently cancelled. This provision does not apply to transfers.

EXCEPTION

If members of the armed forces (as defined by RCW 29A.04.163) and overseas electors (defined in 29A.04.109) consider Washington State their last residence, **new** applicants are exempt from

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the registration deadlines. This exception does not automatically apply to dependents and spouses of military and overseas voters.

VOTER APPLICATIONS

ACCEPTABLE APPLICATIONS

- o Washington State mail-in form
- o Online voter registration (OLVR)
- o Motor Voter
- o Agency based
- o In-person (registration drives, over-the-counter)
- o Federal applications

REQUIRED INFORMATION FOR NEW APPLICANTS

- o Name
- o Residential address
- o Date of birth
- o Affirmation of US citizenship
- o Signature attesting to truth of information provided on the form

Note: ID is not a piece of required information to register an applicant.

PROCESSING A COMPLETED APPLICATION

After verifying an application contains all five pieces of **required** information, you may register the voter.

- o Enter the applicant's information into your county database
- o If it is a paper form, scan it and be sure to save an image of the signature
- o Confirm that the VRDB verified the ID number (When the ID is not confirmed, register the voter provisionally)
- o Send an **Acknowledgment Notice** to the voter within 60 days of receiving the application

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Processing Registration Applications
RCW 29A.08
WAC 484-324

Application contains all five required pieces of information

—NO→ Info is obtained from other government sources, public records or voter by phone/ email

—NO→ Mail **Verification Notice**

YES ↓ (from Application)

YES (from Info obtained)

Register applicant using application's original date. Assign to a precinct.

←YES— Does applicant respond within 45 days?

—NO→ Void application

45 days from mailing

VRDB checks ID —Identification verification fails→ Tag registration "provisional" Send **ID Notice**

Voter remains provisional until ID is confirmed

Active Status

Auditor sends **Acknowledgment Notice** by non-forwardable mail within 60 days.

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RESOLVING AN INCOMPLETE APPLICATION

If the application is missing **required** information

- o   Do not register the voter
- o   Hold the application until either the missing required information is received, or the deadline of **45 days** has passed

Send a **Verification Notice** to an applicant missing one or more pieces of required information. A Verification Notice is never sent to a voter that is already registered, nor is the Verification Notice used to request ID

If the applicant responds within 45 days

- o   Enter the voter into your county database and send an **Acknowledgment Notice**
- o   The date of registration for the voter is the date you received the **original** application

When an applicant fails to respond within 45 days, the voter cannot be registered and the application is not valid.

REGISTERING A UOCAVA VOTER

To qualify as a Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voter, the voter must claim Washington State as their last known U.S. residence. An overseas voter, as defined in RCW 29A.04.109, is any elector of the state of Washington outside the territorial limits of the United States on Election Day.

Deadlines for voter registration do not apply to overseas or active duty service electors or dependents or spouses that are away from their residence due to an active duty assignment. A service or overseas voter may register to vote by providing one of the following items.

- o   A voter registration application issued by Washington State
- o   A federal post card application (FPCA) issued by the Federal Voting Assistance Program (FVAP)
- o   A federal write-in absentee ballot (FWAB) issued by FVAP
- o   A national mail voter registration form issued by the Election Assistance Commission (EAC)
- o   A ballot with a valid signature on the ballot declaration

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If an application from a UOCAVA elector lacks a Washington State address, contact the applicant to request the address of his or her last known residence in Washington State. An address of a relative may also be used if the applicant has never lived in the United States.

A UOCAVA voter is not required to provide ID when registering.

UOCAVA voters must be offered the option of receiving ballots electronically or by postal mail. If the registration application does not indicate a choice, you must try to contact the voter. Send the ballot by mail if the voter has not responded by the mail date.

Rules for processing UOCAVA voter registrations and issuing ballots are located in "Military and Overseas Voters," Clearinghouse 11-04.

IS ID REQUIRED TO REGISTER A NEW VOTER?   WAC 434-324-045

HAVA requires verification of ID numbers provided on the application from the Department of Licensing (DOL) or Social Security (SSN) through the VRDB.

- o   Voters lacking ID will be registered, but only provisionally
- o   *Exception:* UOCAVA voters are not required to provide ID when registering to vote

If the ID numbers provided are **not** verified through the VRDB, or the voter doesn't provide either a DOL or SSN number, the County Auditor should follow these steps.

1. Provisionally register the voter in your county system and flag the registration.
2. Use other government resources and public records to confirm the voter's ID.
3. If unable to verify using other sources, you may contact the voter by phone, email or other means.
4. If after these attempts, you are unable to verify the voter's identity, send an **ID Notice.**
5. After two federal elections, the provisional voter registration is cancelled if ID has not been provided.

WHICH ALTERNATE FORMS OF ID ARE ACCEPTABLE?

- o   Valid photo ID
- o   Valid tribal enrollment card of a recognized tribe in Washington
- o   Current utility bill
- o   Current bank statement
- o   Current paycheck

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- o   Current government check
- o   Any government document that shows the registrant's name and current address

When a voter provides an alternate form of ID, a scanned image or notation of the document is added to the voter's registration record.

NOTICES TO VOTERS

Voters must receive affirmation of registration. Applicants must also be notified when an application is incomplete, a residence address appears to be incorrect, or ID verification fails. For these purposes we use Acknowledgment Notices, Verification Notices, Confirmation Notices, and ID notices.

ACKNOWLEDGMENT NOTICE

When a voter registers, transfers, changes his or her name, or reactivates the voter registration, the County Auditor must mail a notice to the voter acknowledging the registration update.

The **Acknowledgment Notice** is sent when a voter is assigned to "active" status and it must be:

- o   Sent by first-class, non-forwardable mail
- o   Mailed to the voter within 60 days of receipt of the application

A voter registration card may serve as the Acknowledgment Notice. It must list:

- o   Voter's full name
- o   Mailing address
- o   County name
- o   Precinct name and/or number
- o   Registration date
- o   The County Auditor may include additional information

VERIFICATION NOTICE

Whenever an application lacks any one of the five required pieces of information (name, residential address, date of birth, a mark affirming citizenship, signature attesting to truth of info provided on the form), **do not register the voter**.

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Try one or all of the following to locate missing information (other than a signature or confirmation of citizenship):

Complete   Incomplete

A government resource

A public resource

Phone or email the applicant

A **Verification Notice** is sent to the applicant when the application is missing a signature, a citizenship affirmation, or when you're unable to obtain missing information any other way. The purpose of the notice is to obtain the missing piece of information and to notify the applicant that a 45-day deadline exists in which the application is viable. The notice must:

- o   Be sent by forwardable mail
- o   Include a postage paid, preaddressed return form
- o   Notify the applicant that he or she must respond within 45 days or he or she will not be registered
- o   Applicants are not obliged to provide required information more than once, so the Verification Notice should only ask for the missing piece(s) of registration information

CONFIRMATION NOTICE

A **Confirmation Notice** is sent when the voter is assigned to "inactive" status.

The notice provides the voter with an opportunity to update his or her address.

Required elements:

- o   Ask voter to verify his or her current address
- o   Ask voter to sign the oath in RCW 29A.08.230
- o   Inform voter that if he or she fails to either confirm or update the address with the County Auditor, or, does not vote within two federal general elections, the registration will be cancelled
- o   Mailed as first class, forwardable mail
- o   Include a postage paid, preaddressed return form

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- o Be mailed to the address of registration and **every address** where the voter would reasonably be expected to receive mail
- o If returned, a Confirmation Notice may serve to update a voter's address either within the county, or transfer the voter's registration to another county in Washington State

IDENTIFICATION NOTICE

An **Identification Notice** is mailed when a voter is provisionally registered because ID was not provided, or, the ID provided could not be verified.

Before sending an Identification Notice, the County Auditor may attempt to obtain ID information by contacting the voter or utilizing other government sources. If after these attempts, you are still unable to verify the provisionally registered voter's ID, send the Identification Notice prescribed in WAC 434-250-045.

WHICH NOTICE SHOULD I USE?

Each notice serves a distinct purpose. The activity or stage of the registration process determines which notice to use. To understand which notice to send to an applicant or voter, we must start with the voter's application.

EACH VOTER IS ASSIGNED A REGISTRATION "STATUS"

A voter's status may fall into one of the following categories.

- o Active – Voter is fully qualified to vote
- o Pending – The record is processing or an issue must be resolved
- o Inactive – The voter's residential address is questionable due to information from the USPS
- o Cancelled – The voter is no longer registered to vote
- o Provisionally Active – The voter is issued a ballot but must provide ID prior to the ballot being counted

ACTIVE AND INACTIVE STATUS

The default status for voters is active.

Unless specified by law, only active registered voters are used for determining qualifying numbers such as voter turnout or the number of votes needed to validate.

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A voter's status changes from active to inactive when:

- o The US Postal Service provides an out of county change of address
- o Any document mailed by the County Auditor and returned without address correction information
- o Any official state agency that registers voters reports an out of state address for an active voter
- o Change of address information is received that indicates the voter has moved out of the county

In these cases, a Confirmation Notice must be sent. There are no other reasons for changing the status of a voter to inactive.

Reactivate a voter by changing the status from inactive to active when the voter:

- o Attempts to vote
- o Requests a mail ballot
- o Updates registration information
- o Responds to a Confirmation Notice by providing a residence address located within the same county

WHEN THE INACTIVE VOTER RESPONDS TO A CONFIRMATION NOTICE

When a voter responds to the notice by providing a residence **within the county**, the voter's status is reactivated.

NEW: When the voter returns the Confirmation Notice to the County Auditor and indicates he or she has moved **out of the county**, but within Washington, the voter's status remains **inactive**.

- o The former county does not cancel the registration, and
- o Should immediately date stamp and forward the notice to the new county.

The new county confirms the transfer and activates the voter. For detailed requirements and procedures, see [Clearinghouse 12-06](#), "Voter Registration Transfers."

WHEN THE INACTIVE VOTER *DOESN'T* RESPOND TO THE CONFIRMATION NOTICE

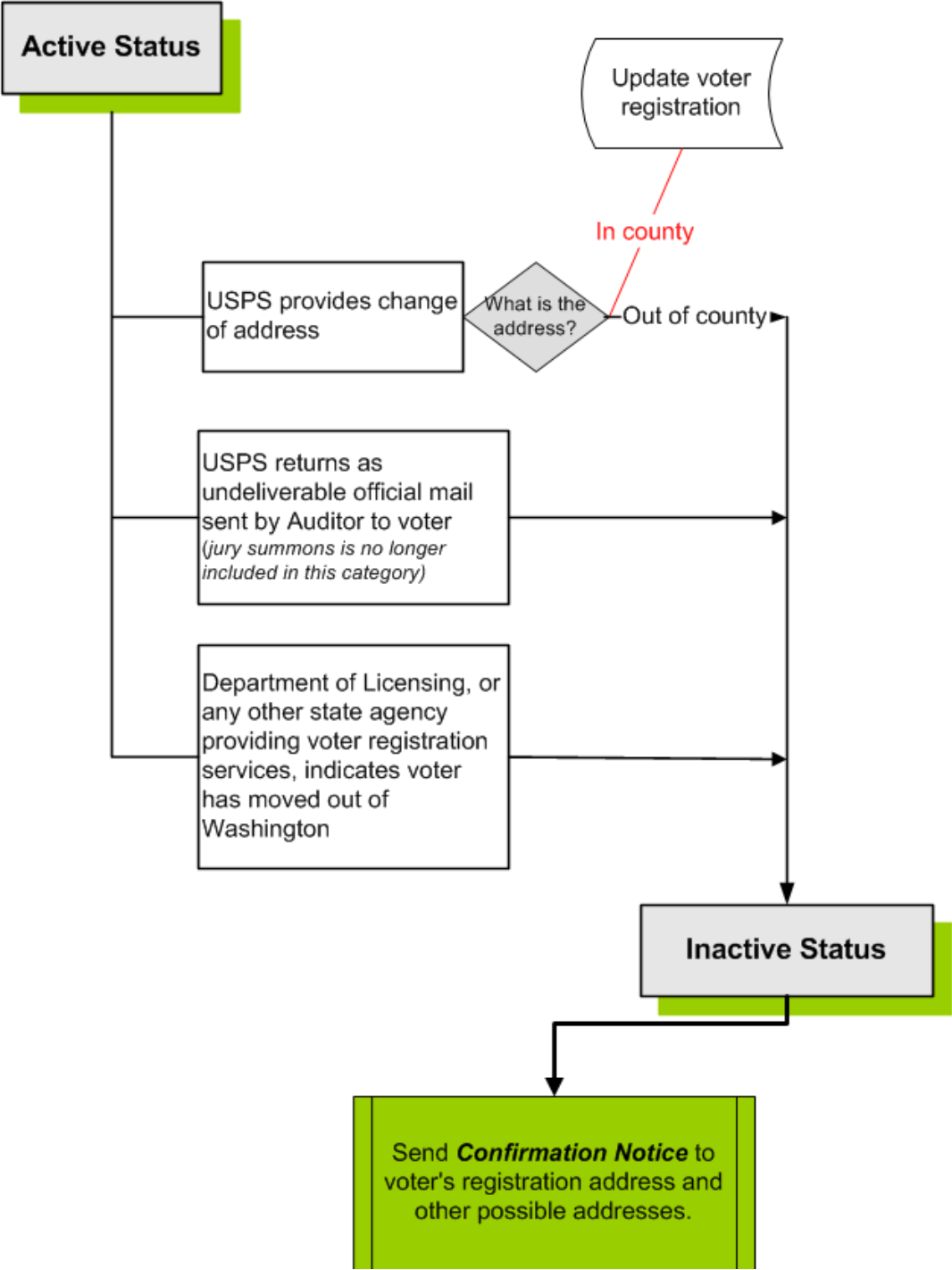The County Auditor must wait for the inactive voter to take action.

NOTES:_____
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- o   Voter votes or attempts to vote: change status to active
- o   Voter confirms the address or provides a new one within the state: follow procedures for transfers
- o   Voter makes no contact through two federal elections: cancel registration

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Active to Inactive Status
RCW 29A.08.620

Active Status

Update voter registration

USPS provides change of address

What is the address?

In county

Out of county ►

USPS returns as undeliverable official mail sent by Auditor to voter *(jury summons is no longer included in this category)*

Department of Licensing, or any other state agency providing voter registration services, indicates voter has moved out of Washington

Inactive Status

Send **Confirmation Notice** to voter's registration address and other possible addresses.

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Inactive to Active
RCW 29A.08.630 & 640

Inactive Status

Out of county address --→ ★ **NEW!** Voter remains inactive

Voter provides change of address →→ In county address

Voter confirms registration address is correct

Voter votes or attempts to vote **and** still resides in the county

Active Status
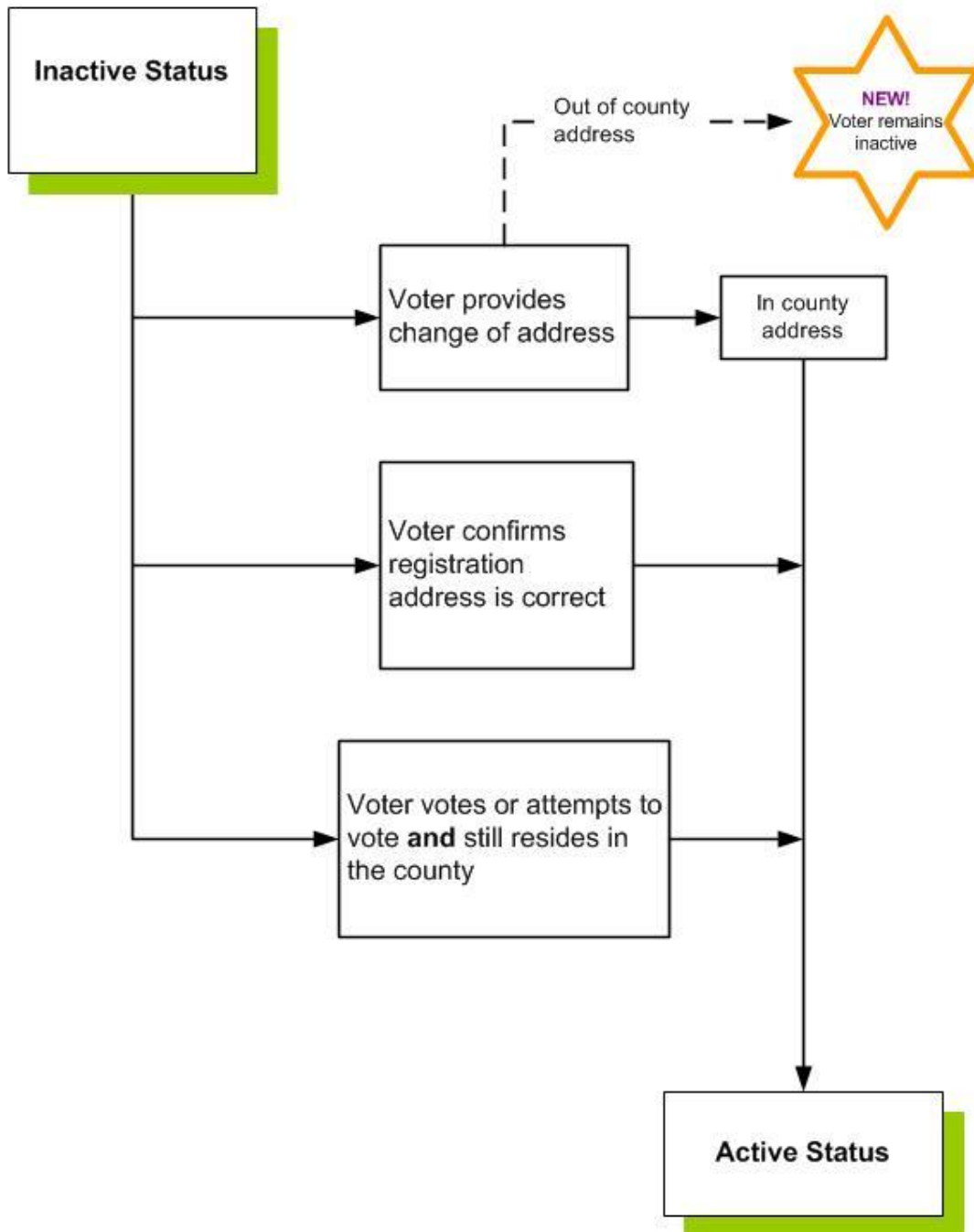
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VOTER REGISTRATION DATABASE (VRDB)

In January 2002, the Secretary of State asked the Legislature to authorize the creation of a statewide voter registration database. That same year Congress passed the Help America Vote Act, which required states to develop a centralized voter registration database. The Washington State Voter Registration Database (VRDB) was launched in January 2006.

The accuracy of voter registration data has improved through the collaboration of the:

- Office of the Secretary of State
- County Auditors
- Voter registration and election management vendors
- Social Security Administration
- Department of Licensing
- Department of Health
- Department of Corrections
- Office of the Administrator of the Courts

Voters move, change their name, register, die, or become ineligible to vote daily. Voter registration data is fluid, not static. For this reason, the VRDB is a dynamic system and requires daily review by counties.

DEFINITIONS

EMS: Any county election management system that administers voter registration maintenance. Currently, counties are use one of three systems: DIMS, VOTEC, or DFM.

**VRDB**: The State Voter Registration Data Base is the official list of all Washington State voters.

VRDB Admin: The website that allows county users to search voter registrations and audit the information in the VRDB.

VRDB Help Manual: A dynamic electronic help manual that will become your best friend. It is available at http://weihelp.sos.wa.gov/help/vrdb/Pages/VRDBHome.aspx

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VRDB TO COUNTY SYSTEMS

The VRDB is the official list of voters in Washington State. Although the county records may contain more detail, basic voter records must mirror the state system.
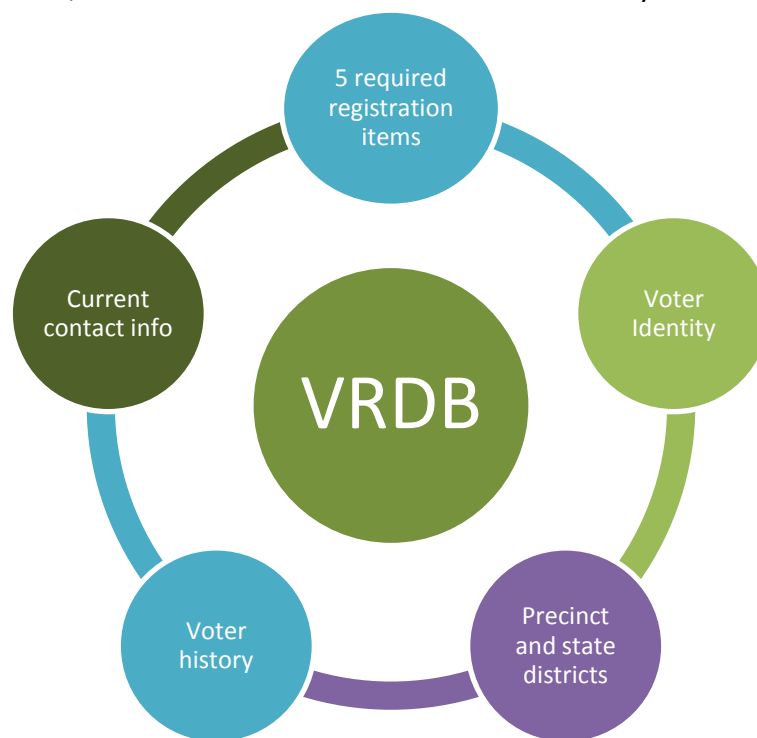
VRDB DATA ENTRY

Data from the county voter registration system pushes up to the VRDB queue.

- o   New voter registrations
- o   Updates to existing voter registration information
- o   Cancellations

The VRDB pulls data from the queue, creates an ID number and begins various processes depending on the type of record.

COUNTY RECORDS

County records are not complete until processed data is picked up from the VRDB outgoing queue.

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The county server must remain connected to the VRDB queue. View the *County Connectivity* report in VRDB Admin to verify that information is exchanging with the state VRDB. If the report shows no data exchanged, notify VR Support.

INTERNET VOTER REGISTRATION AND ADDRESS CORRECTIONS

Online voter registration and motor voter registrations depend on the Department of Licensing (DOL) for all required voter information, including the signature of the voter.

Counties receiving online registrations must process the registrations into the EMS. Once entered, the voter registration data enters the VRDB in the same manner as all voter data.

VRDB DATA INTEGRITY PROCESSES   WAC 434-324-045

The VRDB reduces opportunities for fraud and mistakes by conducting periodic data integrity checks. Voter records verify against other county, state, and federal databases to validate voter ID, locate duplicate records, and clear the active voter rolls of non-qualified registrants.

All records identified by the integrity check are "possible" issues. It is up to the county to research and resolve each of the tagged records.

Validate Voter ID: For new registrations, the VRDB must validate DOL ID and Social Security numbers with the issuing agency. If the ID verification fails, the voter's record is still active, but the record is given a status of "provisionally registered," pending verifiable ID. County Auditors may verify voter ID using other governmental information or the acceptable documents listed in WAC 434-250-045.

Duplicate Voter Search: A duplicate record check runs nightly in the VRDB to identify possible duplicate records, including voters transferring between counties.

Review and resolve duplicate and transfer reports daily.

Cancellations: The VRDB compares lists of deceased voters by comparing the following data sources: VRDB, Department of Health, and Social Security Death Index.

The county must research those matches for potential cancellations.

Felons and the VRDB: Felon management rests entirely within the VRDB and involves communication between the Secretary of State and the Washington State Department of Corrections. For more information, see Felons and Voting Rights on the Washington Secretary of State's website.

County election divisions should **never** cancel felons.

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DAILY MAINTENANCE

Counties must resolve data integrity issues in the VRDB Admin before making any data entries in the county's EMS. Except for the **Felon Maintenance** report, each report should be reviewed daily. Resolving issues in the VRDB before working in the EMS, prevents inaccurate, incomplete, and "ghost" records.

Daily maintenance should include the review and resolution of the following management lists.

- o Duplicate
- o Transfer
- o Address
- o Online
- o Deceased
- o ID

See the VRDB Help Manual for more complete information on daily maintenance and reports.

VRDB REPORTS – PREPARE FOR AN ELECTION

Records in the EMS must match those in the VRDB before compiling ballot mailing lists.

Any voter records remaining in the **Data Audit** or **Voter Status** reports will not be included on the voter lists and will not receive a ballot. It is essential for counties to resolve data audit and voter status issues prior to an election.

ASSISTANCE

- *VRDB section* in the [WEI Help Manual](#)
- *VRSupport* at (360) 902-4194, or VRsupport@sos.wa.gov

MAINTENANCE OF VOTER RECORDS

HOW DOES A VOTER TRIGGER A TRANSFER WITHIN THE SAME COUNTY?

To trigger a transfer **within the same county**, the voter may:

- o Update the County Auditor in writing, in person, by phone, or email
- o Submit an update using MyVote or DOL

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- o Provide a change of address to the USPS, and the address is forwarded to the county elections department
- o Respond to a Confirmation Notice with a new address within the county

HOW DOES A VOTER TRIGGER A COUNTY-TO-COUNTY TRANSFER?

To trigger a transfer into a **new county**, the voter may:

- o Submit a new paper registration application
- o Submit an electronic update using MyVote or DOL
- o Respond to a Confirmation Notice that will be forwarded by the former county to the new county of registration

The County Auditor of the new county shall use the VRDB to verify whether the registration is a transfer.

For such county-to-county transfers, a voter is only required to provide the minimum information necessary to complete the transfer.

- o Name
- o Residential address
- o Signature to the oath in RCW 29A.08.230
- o Either the voter's DOB or voter ID number

For detailed procedures regarding Confirmation Notices and "Voter Registration Transfers," refer to [Clearinghouse 12-06](#).

WHAT IF A VOTER WISHES TO MAKE A NAME CHANGE?

Voters must provide the following information to the County Auditor in writing (written note, VR application, etc.).

- o Name on current registration
- o New name
- o Residence
- o New signature

A signed mail ballot envelope or a Confirmation Notice with all the required elements is acceptable for updating a voter's name. Retain a copy of the envelope or notice for updating the EMS.

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WHAT WILL CANCEL A VOTER'S REGISTRATION?

Active and inactive voter cancellation

- o   Signed request for cancellation from the voter

- o   A completed transfer out of your county

- o   Duplicate records in the VRDB

- o   Successful challenge to a voter's registration

- o   Obituary information

- o   Notification of death with signature from another registered voter

- o   OSOS receives information from the DOC

Inactive voter cancellation only

- o   Failure to vote or confirm registration address for a period of two federal general elections

FELONS   RCW 29A.08.520

OSOS compares data in the VRDB with the Department of Corrections. The OSOS flags the felon as ***PENDING***, and sends a letter to the voter. He or she has 30 days to respond before the registration is cancelled.
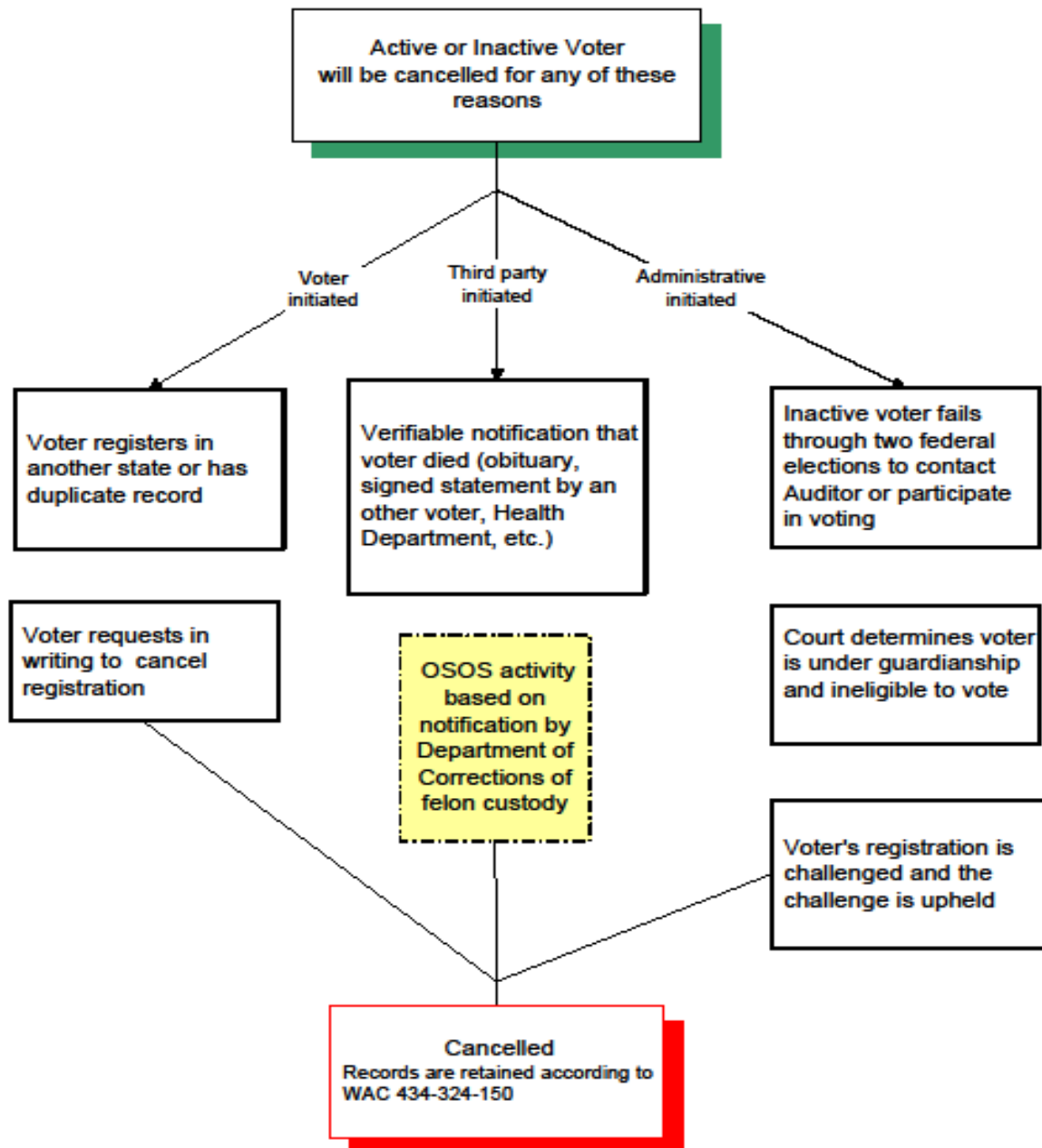
HOW ARE VOTING RIGHTS RESTORED?

For the purposes of this section, a person is under the authority of the DOC if the person is:

- o   Serving a sentence of confinement in the custody of the DOC, or

- o   Subject to community custody as defined in RCW 9.94A.030.

The civil rights of felons, including voting rights, are restored provisionally whenever a felon is no longer under the authority of the DOC. Provisional restoration is revocable if the sentencing court determines that a person has willfully failed to pay legal financial obligations.

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Cancelling Voters
RCW 29A.08.510 - 540, 630

Active or Inactive Voter will be cancelled for any of these reasons

Voter initiated

Third party initiated

Administrative initiated

Voter registers in another state or has duplicate record

Verifiable notification that voter died (obituary, signed statement by an other voter, Health Department, etc.)

Inactive voter fails through two federal elections to contact Auditor or participate in voting

Voter requests in writing to cancel registration

OSOS activity based on notification by Department of Corrections of felon custody

Court determines voter is under guardianship and ineligible to vote

Voter's registration is challenged and the challenge is upheld

Cancelled
Records are retained according to WAC 434-324-150

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2.2   PRECINCTS AND DISTRICT BOUNDARIES   RCW 29A.16

PRECINCT BOUNDARY RULES

Each precinct must be entirely within a single

- o Congressional district
- o State legislative district
- o County legislative district
- o City

Physically, a precinct must be, as nearly as practicable

- o Contiguous or "touching" -- A single precinct cannot be made up of separate parts
- o Compact -- For instance, precincts should not be long, narrow, or have parts that significantly extend beyond the main precinct body

Use visible physical features to describe precinct boundaries

- o Streets
- o Power lines
- o Bodies of water
- o Ridges
- o Exceptions:
  - City/town boundaries
  - If use of physical features would substantially impair election administration in the involved area

Precincts cannot exceed a maximum of 1500 active registered voters.

The county legislative authority may establish a different limitation, but it must be less than the maximum established by state law.

MAKING CHANGES TO PRECINCT BOUNDARIES

The county legislative authority adopts precinct lines (unless otherwise stated in a county charter).

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Precinct line changes must follow certain rules.

- o Permanent changes may be adopted as long as sufficient time exists to make the changes
- o No permanent changes are allowed beginning 14 days prior to candidate filing until the end of the general election
- o Temporary precinct changes may accommodate a city or town annexation
- o Cities and towns may annex at any time. If the annexation affects an election, the voters are eligible to vote in the city or town election even if the annexation is just a few days before Election Day

REDISTRICTING	**RCW 29A.76**

Redistricting apportions congressional, legislative, and internal director/commissioner districts' *population* based on the US Census. This happens at least every 10 years to guarantee equal representation. The county legislative authority must adopt new precinct lines to comply with the State Redistricting plan and the county commissioner or council internal district boundaries.

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